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Attorneys for Defendants
SCHWARZ PHARMA INC.
and KUDCO IRELAND LIMITED

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ALTANA PHARMA AG, and WYETH,

Plaintiffs,

v.

TEVA PHARMACEUTICALS USA, INC.
and TEVA PHARMACEUTICAL
INDUSTRIES LTD.

And

SUN PHARMACEUTICAL INDUSTRIES,
LTD. and SUN PHARMACEUTICAL
ADVANCED RESEARCH CENTRE LTD.

And

KUDCO IRELAND LIMITED, and
SCHWARZ PHARMA, INC.,

Defendants.

Consolidated Case Nos.
Case No. 04-2355 (JLL)
Case No. 05-1966 (JLL)
Case No. 05-3920 (JLL)
Case No. 06-3672 (JLL)

**NOTICE OF APPEAL FROM
MAGISTRATE JUDGE CLAIRE C.
CECCHI'S MARCH 15, 2007
ORDER**

TO: William Heller
MCCARTER & ENGLISH, LLP
Four Gateway Center
100 Mulberry Street
PO BOX 652
Newark, NJ 07101-0652
(973) 622-4444

Counsel for ALTANA PHARMA AG and WYETH

COUNSEL:

PLEASE TAKE NOTICE that on April 23, 2007, or as soon thereafter as they may be heard, Epstein Becker & Green, P.C., attorneys for defendants, Schwarz Pharma, Inc. and Kudco Ireland Limited, will move before the Honorable Jose L. Linares, United States District Judge, at the Martin Luther King, Jr., Federal Building and Courthouse, Newark, New Jersey, for an Order granting defendants' motion to vacate Magistrate Judge Claire C. Cecchi's March 15, 2007 Order and expediting the Court's decision on defendants' pending motion to dismiss.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, defendants will rely on their Brief, submitted herewith.

A proposed form of Order is attached.

EPSTEIN BECKER & GREEN, P.C.
Attorneys for Defendants
Schwarz Pharma Inc. and
Kudco Ireland Limited

By: *s/ James P. Flynn*
JAMES P. FLYNN
A Member of the Firm

DATED: March 19, 2007

CERTIFICATE OF SERVICE

I hereby certify that on this day I caused the original of the foregoing Appeal from Magistrate Judge Claire C. Cecchi's March 15, 2007 Order, to be served upon the Plaintiffs via ECF to William Heller, Esq., MCCARTER & ENGLISH, LLP, attorneys for plaintiffs Altana Pharma AG and Wyeth, at Four Gateway Center, 100 Mulberry Street, Newark, NJ 07101-0652, and via ECF to Gregory D. Miller, Esq., Podvey Meanor Catenacci Hildner Coccoziello & Chattman, Counsel for Defendants Sun Pharmaceutical Industries, Ltd. and Sun Pharmaceutical Advanced Research Centre, Ltd., at The Legal Center, One Riverfront Plaza, Newark, NJ 07102-5497, also via ECF to Michael E. Patunas, Esq., Lite Depalma Greenberg & Rivas, LLC, at Two Gateway Center, 12th Floor, Newark, NJ 07102

s/ Michelle Crespo
Michelle Crespo

Dated: March 19, 2007